

Fw: FYI - Fw: BNA: State Pesticide Officials Question EPA On Use of Biocides in Fracking Fluid

Ayn Schmit to: Kate Fay

10/17/2012 11:13 AM

From: Ayn Schmit/R8/USEPA/US

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thought you might find this of interest

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Date: 10/17/2012 09:07 AM

Subject: FYI - Fw: BNA: State Pesticide Officials Question EPA On Use of Biocides in Fracking Fluid

nothing is simple, not that we ever thought HF is

----- Forwarded by Mike Muse/DC/USEPA/US on 10/17/2012 11:04 AM -----

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Date: 10/17/2012 06:19 AM

Subject: BNA: State Pesticide Officials Question EPA On Use of Biocides in Fracking Fluid

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State Pesticide Officials Question EPA On Use of Biocides in Fracking Fluid

Drilling: State Pesticide Officials Question EPA On Use of Biocides in Fracking Fluid

BNA Snapshot

Use of Biocides in Hydraulic Fracturing

Key Development: State pesticide officials ask EPA to clarify the registration status of biocides used in hydraulic fracturing fluid.

What's Next: Pesticide officials' group to discuss use of biocides in fracking during March 2013 annual meeting.

By [Patrick Ambrosio](#)

An association of state pesticide regulators has asked the Environmental Protection Agency to clarify some regulatory issues related to the use of biocides in hydraulic fracturing in oil and natural gas wells, according to an association official.

Jeff Comstock, president-elect of the Association of American Pesticide Control Officials (AAPCO), said association members have asked EPA's Antimicrobials Division to establish if the existing registration eligibility documents for biocides address use of the compounds in hydraulic fracturing fluid. Comstock spoke Oct. 15 at a meeting of the Environmental Quality Issues Working Committee of the State-FIFRA Issues Research and Evaluation Group (SFIREG).

Comstock said he became aware of the issue when reading EPA's [plan](#) for a study on the impact of hydraulic fracturing on drinking water, which featured a list of compounds commonly used in fluid for hydraulic fracturing, also known as fracking. Several of those common ingredients, including acrolein, dazomet, and glutaraldehyde, are listed as biocides in that report.

Some of the compounds listed as biocides in the EPA document are not found in any registered or labeled pesticide products, according to Comstock.

Biocides are commonly used in hydraulic fracturing fluid to control bacterial growth, according to [FracFocus](#), a site created as a hydraulic fracturing chemical registry.

[Hydraulic Fracturing Facts](#), a website operated by Chesapeake Energy, lists antibacterial agents as additives that are used to eliminate bacteria that produce corrosive by-products. "A small amount" of the antibacterial compounds returns in the produced water, which is water in underground formations that is brought to the surface along with oil or natural gas, according to the website. Comstock said these uses constitute a "pesticide use application" under the Federal Insecticide, Fungicide, and Rodenticide Act. He said AAPCO has asked EPA whether drilling companies are mixing industrial grade compounds into fracking fluid to serve as a biocide "without being

technically labeled for a pesticide use pattern” or if they are using labeled pesticide products to serve as biocides.

Jim Roelofs, a senior environmental protection specialist in the Field and External Affairs Division of the Office of Pesticide Programs, said he was not familiar with the issue when questioned by members of the SFIREG working committee.

Concern About Mixing, Disposal of Fluid

Comstock said he is “not so concerned” about the possibility of biocides entering the groundwater because the compounds are used in “very low concentrations” in hydraulic fracturing fluid.

The greater potential impact is at the surface, where the fluid is mixed and loaded and where the produced water is stored and disposed, according to Comstock.

“If there is any impact on water quality issues, they would be related to use patterns at the surface,” he said.

Comstock said he made the presentation to increase the level of awareness among the state pesticide officials who sit on the SFIREG working committee.

The American Petroleum Institute and America's Natural Gas Alliance, each of which represent members of the energy development industry, did not respond to requests for comment on the use of biocides in hydraulic fracturing fluid. A spokesman for the Natural Gas Alliance referred BNA to general information on the chemicals used in the hydraulic fracturing process.

EPA Staff Invited to Speak at Spring Meeting

AAPCO will discuss the use of biocides in hydraulic fracturing during its annual meeting, scheduled to take place March 18-20 in Arlington, Va.

Comstock said AAPCO is attempting to have staff from the Antimicrobial Division and EPA's Office of General Counsel speak at that meeting. The Office of General Counsel official would be asked to provide an overview of how the Energy Policy Act of 2005 intersects with EPA's regulatory authority under FIFRA, he said.

That law exempts hydraulic fracturing from portions of several environmental laws, including the Safe Drinking Water Act. The 2005 energy law does not include any exemptions from FIFRA, according to Comstock.

For More Information

EPA's list of common hydraulic fracturing fluid ingredients is available under Appendix E at http://www.epa.gov/hfstudy/HF_Study_Plan_110211_FINAL_508